

3. Remarks/Arguments

The Examiner has rejected claims 10-20. Claims 1-9 are withdrawn from consideration as non-elected claims. The applicant has amended claims 10 and 20. Claim 19 has been cancelled. No new claims have been added. Claims 1-18 and 20 remain in the application.

The Examiner has rejected each of claims 10-20 on the basis of Chen '328. The applicant has amended independent claim 10 to include the step of providing an encapsulant with an optical index of at least 1.6. Chen '328 neither teaches nor suggests an encapsulant with any particular optical index or refractive properties, but the typical epoxy resin encapsulant as taught by Chen has an optical index below 1.6. As explained in the specification of the present application, a high optical (refractive) index is critical for maximizing the brightness of the light emitted from the LED die, which has historically been a significant disadvantage of LED lighting applications. Since each of claims 11-18 and 20 are dependent upon claim 10, they are allowable for the same reason as presented here in the discussion of claim 10.

With respect to claim 20, that claim is further allowable over the cited art because it includes the further limitation that the encapsulant is an optical gel. Chen teaches the use of a hard epoxy resin. Chen neither teaches nor suggests an optical gel used as an encapsulant.

As amended and for the reasons set forth above, the applicant asserts that all elected claims in the application are allowable, and reconsideration and allowance is therefore requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "J. Charles Dougherty", is written over a solid horizontal line.

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